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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,445	01/11/1999	WILLIAM W. FREITAG JR.	5000-74400	8570
53806	7590	12/14/2005		
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL (AMD)			EXAMINER	
P.O. BOX 398			NGUYEN, PHUONGCHAU BA	
AUSTIN, TX 78767-0398			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/228,445

Applicant(s)

FREITAG ET AL.

Examiner

Phuongchau Ba Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 6-13 is/are allowed.
- 6) ☒ Claim(s) 1,2, and 14-16 is/are rejected.
- 7) ☒ Claim(s) 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections – 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 14–16 are rejected under 35 U.S.C. 102(b) as being anticipated over Kurnick (5,571,726).

**Regarding claim 1:**

Kurnick discloses a plurality of functional units (mask, register, zero deletion, HDLC flag) configured to operate in series according to a serial communication protocol (HDLC protocol), wherein each functional unit is configured to perform a different specific function of said serial communication protocol, and wherein the plurality of functional units operates in time sequence (one after another) upon the portions (the table channel corresponding the next timeslot) of the multiple serial data channels; wherein

the plurality functional units is configured to perform said serial communication protocol (HDLC) on the multiple serial data channel, see col.7, lines 11–36, also see fig.9.

**Regarding claim 14:**

Kurnick discloses a serial communication system, comprising:

an interface unit (74) adapted for coupling to a transmission medium (54), wherein the interface unit is configured to receive a receive serial data stream including alternating portions of multiple serial data channels from the transmission medium and to provide the receive serial data stream;

a serial communication controller (mask, register, zero deletion, HDLC flag, fig.2) coupled to receive the clock signal (from internal timer 52 in RISC 50, fig.3 or TSA 76, fig.2) and the receive serial data stream (from serial interface 74, fig.2){col.5, lines 60–62, 64–65 & col.7, lines 11–33}.

Kurnick further discloses wherein the serial communication controller comprises a plurality of functional units (mask, register, zero deletion, HDLC flag) configured to operate in series (serial input) according to a serial

communication protocol (HDLC protocol), and wherein each functional unit is configured to perform a different specific function of said serial communication protocol (HDLC protocol) , and wherein the plurality of functional units operates alternately upon the portions of the multiple serial data channels (the table channel corresponding to the next timeslot) of the receive serial data stream to perform said serial communication protocol on the multiple serial data channels (col.7, lines 11–33; see also fig.9).

**Regarding claim 15:** Kurnick further discloses wherein the serial communication controller (24) is further configured to produce a transmit serial data stream including alternating portions of multiple serial data channels {col.6, lines 33–46}, and wherein the interface unit (74) is coupled to receive the transmit serial data stream and further configure to drive the transmit serial data stream upon the transmission medium (28){fig.2, Kurnick}.

**Regarding claim 16:** Kurnick further discloses wherein the serial communication controller (24) is adapted for coupling to a host processor (22){fig.1 , Kurnick}.

***Claim Rejections – 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurnick (5,721,726) in view Chiu (6,327,259).

Regarding claim 2:

Kurnick does not explicitly disclose wherein the serial data stream includes digital data of only one of the multiple serial data channels at any given time, and wherein each of the multiple serial data channels is assigned a periodically recurring time segment and is active during its assigned time segment, and wherein the plurality of functional units operates upon the active serial data channel.

However, in the same field of endeavor, Chiu discloses wherein the serial data stream includes digital data of only one of the multiple serial data channels at any given time, and wherein each of the multiple serial data channels is assigned a periodically recurring time segment and is active during its assigned time segment, and wherein the plurality of functional units operates upon the active serial data channel {col.6, lines 32-51}. Therefore, it would have been obvious to an artisan to apply Chiu's teaching to Kurnick's system with the motivation being to provide multiple HDLC channels to communicate over a single external bus via individually assigned TSAs, and to allow data of any width to be placed anywhere within the time division multiplexed frame.

***Allowable Subject Matter***

5. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 6-13 are allowed.

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 2:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

DUCHO  
PRIMARY EXAMINER



12-12-05



Phuongchau Ba Nguyen  
Examiner  
Art Unit 2665